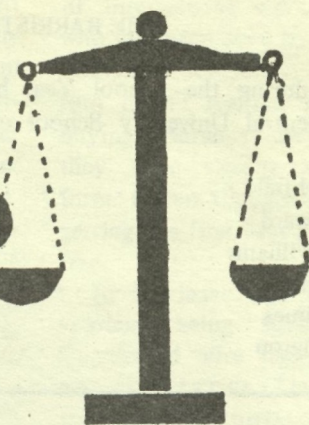




the barrister



Volume 5, Number 1 NORTH CAROLINA CENTRAL UNIVERSITY SCHOOL OF LAW DURHAM, NORTH CAROLINA November, 1973

Alumnus of the Month

MAYNARD H. JACKSON

Jackson Elected Mayor of Atlanta



Hon. Maynard H. Jackson

Maynard H. Jackson, cum laude graduate of North Carolina Central University School of Law, rode the crest of victory into the Mayor's office, to become Atlanta, Georgia's first Black Chief Executive. Jackson handily defeated incumbent Mayor Sam Massel to win the post.

Mr. Jackson, a democrat, and formerly Vice-Mayor, first entered the political arena in 1968, with an unsuccessful but highly enthusiastic bid for the senatorial seat of Georgia's Senator Herman Talmadge. Although he suffered loss in this campaign, most political

strategists could not help but see "the handwriting on the wall."

With the mass movement toward suburbanism in Atlanta, as in other major cities, Mayor Jackson will be forced with trying to regulate this flow and yet trying to provide the necessary protection for inner-city inhabitants as well. There have been Black mayors of other cities including Cleveland, Ohio; Gary, Indiana; Newark, New Jersey; Cincinnati, Ohio; and most recently Los Angeles, California. But Jackson assumes the role of mayor with an administration that truly reflects the ethnic composition of his city, as Blacks in Atlanta now control the mayor's office, share power equally on the city council and dominate the board of education.

Mr. Jackson hails from one of Atlanta's most distinguished Black families. He is the son of the late Rev. Maynard H. Jackson and Mrs. Irene Dobbs Jackson, former chairman of the Dept. of Romance Languages at North Carolina Central University.

We here at North Carolina Central University School of Law take pride in congratulating one of our graduates who has made an outstanding accomplishment in the political arena as a man who is dedicated to fulfilling the needs of the people.

Law Students and Faculty Draft Landlord / Tenant Bill

House Bill 673 is an attempt to restructure North Carolina's 100 year old Landlord and Tenant laws.

The Bill, introduced in the State Legislature by Representatives Michaux, Frye, Johnson and Webb, was drafted by students and a faculty member of NCCU Law School.

Drafters of House Bill 673 include Standley Sprague,

Marilyn McDonald, George Brown and Harold R. Washington. The Bill, based upon the model Uniform Landlord/Tenant Residential Act, was tailored to fit the needs and problems facing North Carolina tenants.

After House Bill 673 was sent to the Legislature, the N. C. Association of Realtors drafted an emasculated version of a Landlord/Tenant Bill for consideration.

The existing North Carolina landlord-tenant laws give tenants the right to pay their rent and nothing else.

House Bill 673 would:

-- Specify defects that would render the premises uninhabitable and give the tenant the right to terminate the tenancy.

-- Allow tenants to make repairs and deduct from their rent up to \$100 or one-half of one month's rent if the landlord does not respond to a notice concerning the defective conditions.

-- Prohibit a landlord from increasing rent, decreasing services or evicting a tenant if

that tenant has complained to governmental officials or joined a tenants' union.

-- Cover all residential units within the state including public housing and agricultural tenancies.

-- Give District Courts jurisdiction over landlords within the state and require that out-of-state landlords obtain permission from the Secretary of State to transact business.

-- Restrict security deposits to an amount equal to one month's rent. Security deposits would be returned with interest if not used for repairs.

-- Require the landlord to give the name and address of the owner of the premises or his agent.

The Realtors' sponsored Bill does not include the above provisions.

At a public hearing on October 16, 1973 at the Durham YWCA, residents from throughout the state testified before a House of Representative Select Sub-Committee that they are generally in favor of House Bill 673.

First Dred Scott Day Observed

On October 24, 1973, North Carolina Central University School of Law observed Dred Scott Day. A convocation concerning "The Legacy of Dred Scott" was held in the University Student Union.

The principle speaker for the program was Herbert O. Reid, Esq., Acting Dean of Howard University School of Law.

Dean Reid pointed out that the Dred Scott decision is the best known and least read of all major constitutional decisions. He said the Supreme Court's decision indicated that Blacks were not within the body politic and were not intended to be included in the body politic.

Dean Reid, a graduate of Howard University and Harvard Law School, remarked that we give the system too much credit when we refer to it as "racist." "Racism is a distinction between human beings based upon perceived degrees of inferiority," he said. "Blacks and other non-Europeans have been classed as sub-humans in this society. This commitment to inferiority is greater than racism."

Dean Reid emphasized the need to, "challenge this country to the extent that it is willing to repudiate the predicate upon which Dred Scott is based, since it has not yet been repudiated."

Dean Reid also discussed his role as counsel to the Black Panther Inquiry Commission and stated that a break in the Chicago Panther murders will soon implicate federal government agents.

Serving as moderator for the program was James Siler, third year student from Durham. Also participating in the program was the Pentacostal Fellowship Choir.

Law Day Committee Presents Juvenile Justice Forum

On October 16, 1973, The NCCU Law Day Committee presented the first of a series of curriculum enrichment forums.

The first forum was entitled "Juvenile Justice" and featured

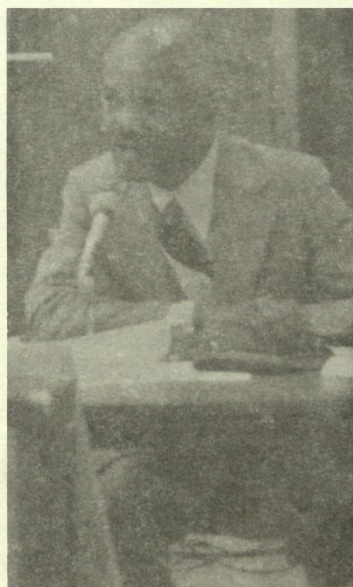
the Honorable William S. White, presiding judge of the Cook County (Chicago, Ill.) Juvenile Court.

Judge White, who was most recently featured in a lead article in *Ebony Magazine*, traced the history of the juvenile court system in America, and concluded that the system has not progressed greatly since its inception in 1898.

Judge White pointed out that both probation officers and police officers invariably have greater discretion than judges in juvenile matters and such broad discretion, "leaves me uncomfortable when they are given authority we don't have as judges."

Judge White said that being adjudged a delinquent is almost as bad as being labeled a felon.

Judge White attributed the slowness of recognition of juveniles' rights to the presence of social workers in the juvenile



Judge William S. White participates in Juvenile Justice Panel discussion at North Carolina Central University School of Law.

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THE DEAN'S REPORT

The Office of the Dean expresses its gratitude to the Editors of the *Barrister* in reserving this space in its first edition in several years for these few comments.

We extend welcome to the largest First Year Class in the history of the Law School. It is sincerely hoped that both the new and returning students will find new dedication, renewed strength and constructive efforts, to make this student body not only the largest, but also the most productive student body in the history of the School.

We have a faculty and staff that stand ready to be of assistance to you. There are several enrichment programs,

such as the Student Bar Association and its monthly seminars, the Law Journal, The Barrister and the Moot Court Competitions, in which we urge your participation and full co-operation.

This office, also, wishes to apologize for the crowded conditions under which you are undertaking to perform your maximum study. However, in the very near future, work on the expansion of these facilities is expected to be commenced.

In the meanwhile, in view of our present size, there are certain housekeeping chores that should be observed. Remember that a misplaced book is a lost book. We earnestly ask you to

(Continued on page four)

THE BARRISTER

Published during the School Year by The Students of North Carolina Central University School of Law.

Perry Crutchfield Editor-in-Chief
Charles Howard Associate Editor
Joseph A. Williams Business Manager
Cheri Bryant Circulation Manager
Charles Holmes Staff Writer
Hap Washington Adviser

OUR INTENTION

It is with great enthusiasm that we, the staff of the Barrister, embark upon a revival of this newspaper. It is our intention that this paper be one of a professional nature, disseminating information concerning the Law School, and reflecting major events on the undergraduate level. In accomplishing this goal, it will be necessary that the highest degree of editorial scrutiny be used in editing all articles submitted.

Each printed edition of the paper will contain a column featuring "The Alumnus of The Month." All Alumni of North Carolina Central University School of Law are eligible for this recognition. Each recognized alumnus will be chosen by the staff and will receive a copy of the edition in which he or she will be honored.

In honoring alumni of the School of Law, we are attempting to achieve a two fold purpose. First, to show those of you who have graduated in the years past and are about your chosen fields, that we recognized your achievements, for they are in essence the achievements of the North Carolina Central University School of Law. In doing these things, we the staff sincerely hope that the Alumni will come forward and assist the School of Law in its programs.

At this juncture, we think it particularly important that we reflect the view of this paper in regard to what we will print and how we will print it. Letters to the editors expressing views and opinions will be treated as such. All letters to the editors must be signed. Editorial commentary will be on any and all newsworthy events, on the campus, in the Durham community or on the national scene.

There will be no administrative censorship of this paper; the First Amendment assures Freedom of the Press. Joyner v. Whiting, 477 F. 2nd 456, 341 Supp. 1244 assures it to us here.

The Editors.

ADVISER'S STATEMENT

The University community has been without a systematic means of communication since December, 1971.

It was during this period that the President (now Chancellor) of the University withheld financial assistance from the *Campus Echo* (the undergraduate student newspaper) on the ground that publication did not meet "standard journalistic criteria," nor did it "represent fairly the full spectrum of views on this campus."

The federal District Court refused to enjoin the President's clearly unconstitutional actions (Joyner v. Whiting, 341 F. Supp. 1244.)

The Fourth Circuit Court of Appeals, never known for its liberal slant, reversed the District Court's holding, stating that, ".....if a college has a student newspaper, its publication cannot be suppressed because college officials dislike its editorial comment." (Joyner v. Whiting, 477 F. 2nd 456 (1973).)

As Adviser to the Barrister, it is obviously my duty to assist the editorial staff in maintaining a creditable level of journalism.

However, in keeping with constitutional guarantees (Joyner v. Whiting, supra and New York Times v. U.S., 403 U.S. 713 (1971), there will be no prior restraint on submitted opinions. Those expressions which are submitted, but which are not deemed up to the level of journalism indicated, will be treated as letters to the Editor.

To echo the opinion of Mr. Justice Black in New York Times v. U.S., "In the First Amendment the Founding Fathers gave the free press the protection it must have to fulfill its role in our democracyto serve the governed, not the governors. The press was protected so that it could bare the secrets of the government and inform the people."

The underlying premise, of course, is that information is the basis of an educated public and in a community of scholars, we should be ever striving toward education.

The Editors of The Barrister, solicited the Following "Early Impressions" From Our First Year Students.

MICHAEL L. MCKINNON

Before entering school I was fascinated with the workings of the Law, and so far nothing has occurred to change my feelings on the subject.

The work required has not been difficult, but the volume of the work is a constant problem in relation to time. Knowing that there is a large amount of library reading to be done can put a lot of pressure on a first-year student. In criticism here, I would like to see the library stay open later than it has been. If necessary, all night.

I guess probably the biggest problem which I have faced is the relation to the proper approach in handling a particular legal problem. Knowing how to attack a problem in terms of rules of law rather than normal everyday life can really be difficult.

This particular problem is one that I feel is common among first-year students. The proper approach is taught during the first semester, but I do not think this is such a good idea. If a first-year student is taught how to do a proper brief, what to look for, how to attack a problem, how to use the library materials, etc., BEFORE school begins, then there is no reason to walk around "shaking your head" for the first two months of school. To go further, I am suggesting that it would be more beneficial to first-year students if there were a class offered in the summer before entering school, or the first one of two weeks of school. I am sure that the school has lost a number of potentially great lawyers because they were left in the starting blocks at the beginning of school. Whether this is a problem which can be alleviated or not I do not know, but I do feel that it should be taken into careful consideration.

So far, the study of law has been everything I thought it would be. I am definitely looking forward to the day that I am able to finish and put some of my "learning" to good use.

JOSEPH REID

In my undergraduate years I thought of the law as the epitome of knowledge and sound reasoning, only to find it based on precedent and archaic thought. I thought of the lawyer as the symbol of justice and equality, only to find his role one of accommodation and deception. Realizing that there is a little corruption in us all, never did I think it was to the extent as exhibited by present day lawyers. As brought out in the Watergate hearings and the different political scandals that

have swept the nation recently, the lawyers code of ethics is under direct attack. Never before have so many lawyers been involved in such unethical affairs. I am very happy that no Blacks were involved in these scandals, for I feel sure that they would have been used as political scapegoats.

These are some of the issues that I have come to realize in the last seven weeks. As I learn more and more about what the law should be, I begin to clearly see what it is not. It has been said that in order to know the right answer one must ask the right questions based on the information acquired. I am gaining knowledge and understanding of the law and I am beginning to ask the right questions.

Understanding these things now I know at least what direction I should move. In a white world with white laws, as a Black man trying to learn and enforce these laws, I know now what business I should be about. Understanding now that things are not very often as they seem, I must address myself to those issues which most affect me as a Black man trying to become a lawyer dealing with white laws. I must try and touch base with those issues which are important to me and my race.

In dealing with the issue of race and justice or race equality I can not help but feel bitter toward the system and what it stands for. I must, however, be ever aware that I am a part of that system and that I must go through it in order to bring about change within it. I must become an active leader within it in order to be in a position to bring a change that will affect the greatest number of my race. Hopefully, I will succeed in this endeavor. That is why I know now that this disappointment that I feel must be endured.

DONALD L. MURPHY

My feelings during the first week of Law School were ones of fear, doubtfulness, and anxiety. Fear was caused by the fact that I had received numerous reasons, prior to enrolling here, as to why I should not come to North Carolina Central University Law School, but to go elsewhere. At that time I didn't know whether I had made the right decision or not.

I was doubtful of my own ability and constantly questioned myself as to whether or not I possessed the ability to succeed in Law School. Anxiety existed because I was ready to start the study of law, but it seemed as if it would never begin. Now that a couple of weeks have elapsed I can now review the situation.

The fear I had is completely gone. I believe I made the right decision in coming here. My

doubtfulness does not exist. If I doubt my own ability how can I expect my clients to have confidence in me? Now regarding my anxiety, well, it's still there but, because of the massive amount of assignments that have to be completed, my anxiety has now become hidden.

LINDA HARALSON

Law school is a dream that has become a reality to me. I cannot believe that I am finally in law school. I have found the study of law to be different from any of my subjects in undergraduate school. Recent law school graduates gave me a slight orientation of law school and I am testifying to the fact that law school "ain't no bed of roses." I have perceived more legal concepts than the average layman has during his life. At this point, I am frightened to death.

Comments from recent graduates of the law have indicated that the study of law is not easy. I can testify to that as being a valid statement. Right now, I am exhausted, humiliated, disappointed and confused. Exhaustion is due to long, hard hours of reading cases and deep concentration which leaves my mental capacity limping. Humiliation comes from the sleepless nights, headaches and the feeling that I hadn't accomplished a "damned thing" after all of my preparation. Disappointment comes from the feeling that I have completed half of a semester and my grades indicate that I need to start from the beginning. Confusion is due largely to my earlier self-confidence in being able to master the subjects and after the mid-terms I find my ability to perceive the subject matter at its lowest peak. I ask myself "where do I go from here?" Answer-go to chapter one, page one of each subject. At this point, I start all over again.

I look forward to the finals but this is no fun at all. I have had nightmares about law school and it is frightening to think what the result may be. "Think positive," I say, but how will that help when I get to the intersection and I don't know which route to take, so I head back down the same road.

MUTUAL SAVINGS AND LOAN ASSOCIATION



Where You Save Does Make A Difference



112 W. Parrish St. Durham, N. C.

CAVEAT EMPTOR ON CAMPUS

Reprinted by permission of Consumer Reports, January, 1972.

How life-insurance agents sell policies to students on credit. The technicalities are complex, but CU's general advice is simple: Don't buy

With college costs running as high as \$4000 or \$5000 a year, students and their parents can do without needless expenses. And the last thing most college students need is life insurance. As we have said in "The Consumers Union Report on Life Insurance," the need for insurance arises mainly with the birth of children. The life of the father or mother, or both, may have to be insured if they are the breadwinners on whom the children will be dependent until they grow up. Unless a college student has children, as a rule he should not buy life insurance.

Many insurance companies don't agree with that rule and certainly don't abide by it. The life-insurance agent has become a familiar figure on many campuses and at other learning institutions. Charles W. Alexander, an agent of Cotton States Life of Memphis, writes in the trade journal *Life Insurance Selling*: "The college insurance market is highly competitive. Most college students are contacted four to six times a year by insurance agents." One of CU's medical consultants, the head of a hospital training program for interns and resident physicians, has observed that his students are approached by insurance men five or six times *per week*. An industry survey of more than 300 life-insurance companies turned up 20 per cent with sales programs aimed at college students and young professionals who are not yet earning enough to pay the premiums.

Buy now, pay later

Insurance men approach the premium-paying problems by offering to finance the first annual premium, and frequently the second, with a loan to be paid off perhaps five years later. The interest is payable over that period at an annual percentage rate of 6 to 8 per cent or more. In many plans the policyholder pays interest on the interest, too.

The five-year promissory note with a \$10,000 College Master insurance policy sold by Fidelity Union Life of Dallas in 1970 to a 21-year-old student had an annual interest rate of 8.5 per cent. The compounded finance charge on the premium loan of \$151 came to \$76.07. A finance company owned by Fidelity Union makes the loans and sells the notes to the First National Bank of Dallas. According to the authoritative "Best's Insurance Reports," Fidelity Union Life

"has extensively developed the college senior and graduate market through its specialized college division and more than one-half of its insurance in force is in this market."

Other big sellers, such as National Life and Accident of Nashville, Jefferson Standard of North Carolina, Shenandoah Life of Virginia, American United Life of Indianapolis, Indianapolis Life, Lincoln National of Fort Wayne and State Life of Indiana (Indiana seems to be a center of the college insurance business), supply their agents with a note made out to a bank in the home-office city.

Such a note, signed by a college-student policyholder, is one of the safest loans imaginable, from the creditor's standpoint. First of all, payment is almost always guaranteed because of an arrangement called a dealer reserve. For every financed insurance policy an agent sells, a certain percentage of his sales commission is withheld by the insurance company and turned over to the bank or finance company. (The commission on the first annual premium of a life-insurance policy of the kind sold to college students is a handsome 50-to-75 per cent.) The agent eventually gets his commission money from the lender unless the student defaults on the loan. In that case, either the agent or the insurance company will sue the student.

In addition to signing a promissory note, the student policyholder must sign a policy-assignment form. If he dies, the insurance company is made the first beneficiary so that it can collect the unpaid premium and interest.

The insurance company has still another way of assuring itself repayment of that first year's premium and the compound interest on it. Built into the typical college student's policy is a separate savings account, into which deposits are paid automatically. The money comes, of course, as an add-on to the premiums paid by the student after the first year. After five years, or whatever the term of the loan, the balance in the savings account will equal the amount owed. At that juncture the insurer takes possession of the savings account. Insurance men recognize the arrangement as a miniature endowment plan with the insurer as the named beneficiary. For the student, however, it works more like an installment loan. Though the promissory note makes it appear that he is getting the full use of the borrowed money for a full five years, in reality he is repaying in installments.

Since repayment of the first year's premium depends on the student's paying future

premiums, the insurance company and its lending partner take one further precaution. Their promissory note has built into it an acceleration clause, a typical feature of retail installment contracts. If the student fails to pay any premium on time, the lender can demand immediate payment on the entire loan. With the promissory note, he can also readily obtain a court judgment ordering payment.

As with most retail credit agreements, an insurance-policy financing note may be impossible to cancel. Life insurance is customarily sold for a year at a time. When a student is persuaded to buy a policy and to sign a financing agreement, he is committing himself to buy a full year's protection. A couple of insurance companies told CU they willingly cancel policies upon request and charge only the used portion of the premium, but one of those companies refused to cancel a policy bought by one CU reader. In fact, none of the policies or promissory notes that we examined had a provision for refund of premiums during the first year.

The policies CU examined tended to be relatively expensive. Typically, the student is sold some form of cash-value policy such as whole life or an even higher-priced plan, life paid-up at age 65. Few insurers offer to finance term insurance for students; that's perhaps not surprising in view of the fact that the premium for a term policy would be only one-third or one fourth as much as for a cash-value policy. Too, student policies are usually embellished with extra-cost accidental death benefits (double or triple indemnity), a waiver of premium for disability, and an option to buy additional insurance without a medical exam. "The Consumers Union Report on Life Insurance" defines various types of policies, their optional provisions and riders, and discusses their pros and cons. A completely revised and expanded edition will be available soon.

Don't tell papa

Companies doing a big business in college policies often set up special agents in college towns. They like to recruit as salesmen popular campus figures such as fraternity leaders, recently graduated star athletes, former coaches and even faculty members and administrators. Sometimes campus figures are paid by agents for bird-dogging—lining up prospects and introducing them to the agent. In West Virginia, bird-dogging apparently became so prevalent on campuses that the state insurance department now bans it unless the bird dog is himself a licensed insurance agent.

In his article in *Life Insurance Selling*, Mr. Alexander of Cotton States Life took up various

objections raised by student prospects and explained how he overcomes them. An objection often heard, as one might expect, is "I want to talk it over with my father." Mr. Alexander suggests the following riposte:

Bill, probably the first thing your dad bought for you when you were a child was a piggy bank, in order to get you in the habit of saving money. All you're going to do by talking to your father is to ask him if you may start a program to *make* you do what he has been trying to get you to do since you were a child. That's kind of silly, isn't it?

Or, if that doesn't work:

Bill, this program is designed for *you* in a way that will enable you to start it for yourself. You will be putting *your* money in the program, and you will cover *your* wife and family with it. This is why the decision should be one that *you* make. Don't you agree?

Mr. Alexander's technique is practiced by others, it seems. In another part of the country an irate father charged, in a letter to his son's insurer:

My son was pressured into signing your note. When he wanted to wait to show me the policy first, your agent went into high gear. He knew perfectly well that if I ever saw the policy and the note, I'd never let my son take it.

Some agents are reported to have stepped beyond the bounds of even Mr. Alexander's kind of blarney. An insurance professor at Michigan State University tells

of interviewing eight students who had been sued by the same insurance company. Three or four hadn't realized they were buying insurance; they thought they were signing a medical form. Others thought they were getting the first year's insurance free.

In at least one case, the student being sued was a 21-year-old who had co-signed an insurance-financing promissory note for his roommate, a minor. In Michigan, as elsewhere, a promissory note has not been binding up to now on persons under 21. Most student-insurance selling has therefore been aimed at college seniors and graduate students. But with the voting age lowered to 18, the legal age at which a signature becomes binding is also being lowered in some states. It drops to 18 in Michigan, for example, in January. Inevitably, the sales push will be felt more and more by lower-classmen.

So it's caveat emptor on campus, and another lesson in cynicism for today's youth. To quote again from that irate father's letter to his son's insurer:

College kids these days are idealistic and distrustful of the Establishment, whatever that is. God knows, I seem to be a member of the Establishment myself. Be that as it may, you're not helping any.

FACULTY MEMBER WRITES BLACK HISTORY BOOK

A manuscript, *Black Heroes of the Civil War*, has been submitted to publishers by Mrs. Mildred B. Payton, who joined North Carolina Central University's law faculty this fall. She had spent the previous year doing research for the book, which comprises nine stories of Black heroes of the Civil War period. Profiled in the book are those Blacks who fought with John Brown, William Still of Underground Railroad fame, Sojourner Truth, Harriet Tubman, Robert Smalls, Martin R. Delany, Elizabeth Keckley, Hiram R. Revels, and the Black soldiers who launched the attack on Fort Wagner. In marked departure from traditional "United States History" or "Black History," the activities of the principal characters are so interwoven with events of historical significance as to give the reader a panoramic view of the war, and the life and

involvement of Black people during this era.

Mrs. Payton spent two years as a Peace Corps Volunteer in Turkey, before serving with the National Teacher Corps in the midwest, where she earned a Master of Teaching degree.

Prior to the past year, Mrs. Payton taught business law at Oklahoma State University where she organized the Black Heritage Seminar. During this time she developed a Black History game, "Forty Acres and a Mule," for which a patent application is pending.

A volume of poetry, *Lay O' the Land*, published by Mrs. Payton in 1954 won wide acclaim. Mrs. Eleanor Roosevelt in her "My Day" column wrote of the closing verse: "the closing poem in the book. . . I think has real meaning for a great many people today." The poem to which Mrs. Roosevelt referred follows.

CREDO

I ask not for the much-sought crown of fame,
Nor for the smile of fortune on my plight;
Nor pray the gods of fate for the delight
Of hearing men pay homage to my name.
I seek no undue succor in this game
(As poets call life), nor likewise in the fight
For that which men of strength and truth call right;
I clamor not for undeserved acclaim.

But having seen shell-men-gutted by fears,
Minds robbed of will, souls of integrity,
I beseech fate with scalding gall-filled tears,
In her strange justice that she grants to me.
This above all, throughout the coming years
A soul unfettered and a spirit free.

A Legal Experiment: N. C. Central's High School Education Program

By Samuel S. Goren

Cast aside the Latin phrases, the complex definitions, and the somber atmosphere of a law school classroom, and you will see the law as common sense and common knowledge. Perhaps this sounds like a magic incantation from an alchemist of the middle ages, but it is the basic concept of the North Carolina Central University High School Legal Education Program.

Harold R. Washington, Associate Professor of Law, and several law students decided that if they could peel away the jargon of the law school classroom and put the remaining principles of law in plain English, then these principles could be easily communicated to junior and senior high school students.

Students at North Carolina Central University Law School are actively participating in a legal education program designed to introduce junior and senior high school students to the system of law that permeates our entire existence.

Mr. Washington and Professor Daniel G. Sampson prepared individual sections for the seven week course which included: The Criminal Law/Civil Law Distinction; The Criminal Justice System; Tort Law; Property Rights; Contract Law; Consumer Problems; Governmental Benefits and; Constitutional Problems. The program convened with interested second and third year law students during the first week of the semester signing up to teach his or her particular legal interest to high school students. Approximately thirty law

students signed up to participate in the programs.

The program is presently in its first phase at Hillside Senior High School. Each Thursday, two law students teach one of seven courses in one-hour sessions. The program will expand to include additional classes and schools.

Samuel Goren is student coordinator for the program. Participating in the first phase of the program are: Joe Williams, Mike Lee, Cheri Bryant, Mary Tolton, Sylvester Harris, Ken Ramseur, Victor Boone, Gerald Rush, Tom Portelli, Berni Bacchetta, Allen Mason, Dorothy Bernholz, David Best and Perry Crutchfield.

The thrust of the program is to familiarize high school students with aspects of the law which touch their daily lives. There is no attempt to make lawyers of the high school students.

The enthusiasm of our law students, the high school students, and the teachers who have voiced their intention of accepting the program have been very favorable. At the end of each program phase, the high school students who participated will write an evaluation for use in improving the overall program.

The NCCU Legal Education Program is not a temporary "thing" for us to work with. Its precepts expose young people to the law around them, allow them to ask simple or perplexing questions and have our law students take the law and answer their questions in an informative manner.

NCCU ESTABLISHES HEALTH LAW CENTER

Ernest Ratliff, associate professor of law is in the process of establishing a Center for Health Law at NCCU Law School. Its purpose is to engage in study, research, teaching and advocacy in the medico-legal area. A major aim of the Center is to facilitate and stimulate the development of ethical and workable solutions to the critical issues now demanding resolution in the law of health.

The Center will sponsor a series of seminars, lectures, workshops and conferences designed to increase the body of knowledge about medico-legal problems. The Center will explore the feasibility and desirability of establishing a graduate program in health law.

The Center will issue position papers on matters which have been studied by Center staff. A newsletter is scheduled to be issued November 1, 1973.

Activity in the area of public policy will focus on appearances before rule-making bodies and on preparation of model ordinances, rules and regulations.

Through consulting and counseling with program administrators, consumers, providers and others, Center staff will attempt to assist in the development of administrative procedures which will insure that health practices are consonant with the law.

Center staff will review and comment on proposed rules, regulations and guidelines before their adoption.

While no area of health law is outside the concerns of the Center, some are of special concern. These include: genetic manipulation, the "right to die", time of death and organ transplantation, minors' rights to consent to contraceptive and

Book Comments

Race, Racism and American Law by Derrick Bell, Jr.

Little, Brown and Company, 1973. pp.1087.

By Charles Holmes

Undoubtedly with painstaking devotion attributable to a scholar's commitment toward an endless quest for truth and a lawyer's pragmatic approach to bring about a solution to America's racial problem, Derrick Bell has amassed what amounts to be, a *magnus opus*. The author, a Professor in the Harvard Law School and formerly a famous Civil Rights attorney, has compiled and interwoven cases and materials which focus on racism and its pervasive tentacles. Though a large number of the cases have appeared in casebooks before and some of the materials used are reprints, this method of integration, to my knowledge has not been done before i.e., zeroing in on a problem in its broad spectrum. Although many of the cases may be especially attractive to law students and lawyers, the intellectual appetite of non-lawyers may also be satisfied. In short the book may be used in law schools and undergraduate schools. Particular emphasis is placed on its pedagogical utility to stimulate analytical thinking concerning racial injustices. For example, there are seventeen hypothetical problems entitled "Racism Hypos" to facilitate class discussion.

Perceptively and prospectively the book is notable for several insights. From the Dred Scott case p.2 and its legacy thereof to the Higher Education Amendments of 1972 p.1075, the reader is put on notice as to America's conception of Blacks. Secondly, the racism hypos interspersed throughout the work with anticipated analytical class discussions to follow are to suggest techniques and forums necessary to alleviate racism as compared to the questionable results of bygone attempts. Thirdly, the author's use of students coupled with apparently sufficient funds and time palpably demonstrates what can be done through planned co-operation.

other medical treatment, population management and family planning, health planning and property rights, human experimentation, peer review standards organizations, health care cost control, malpractice law, and environmental quality control.

Presently, the Center is providing staff services to the subcommittee of the North Carolina General Assembly studying health care costs in the State. Third year law students Kenneth McDaniels and Julie Cox are assisting Professor Ratliff in this project.

SOLICITOR INTERN DISCUSSES SUMMER PROGRAM

Editor's Note: The NCCU Law School Solicitor/Defender Intern Program has been in existence for the past three years allowing rising third-year law students the opportunity to apply principle to fact. Ernest Fullwood, Associate Professor of Law is the faculty adviser and Gregory Davis, third-year student, serves as coordinator during the present program period.

By G.K. Butterfield

Since June, 1973, I have been working with the Durham County Solicitor's Office under the auspices of the NCCU Law School Solicitor/Defender Intern Program.

I have been serving as an assistant solicitor pursuant to the new third-year law student practice rule promulgated by the North Carolina Supreme Court.

The Solicitor/Defender Intern Program placed 20 senior law students from various schools in solicitor and defender offices throughout the state.

During the first four weeks of the summer program I was assigned to the Durham County Superior Court to observe court room procedure and to assist the solicitor in his preparation of cases.

As part of my duties in assisting the solicitor, I found and interviewed witnesses, consulted the arresting police officers, researched points of law and made recommendations concerning the disposition of the cases.

After the first four weeks, I

Accomplishments

The Raymond Watkins Chapter of Phi Alpha Delta, International, the foremost legal fraternity, initiated sixteen new members on November 2, 1973. The initiation was held in the Superior Court room of the Durham County Court House. Following the initiation was a Honor & Initiation Banquet held at the Poynd Sterling Steakhouse. At the banquet honors were bestowed upon Dean LeMarquis DeJarmon and Miss Emma Nell Jackson. Miss Jackson received recognition for her diligent and loyal service to the law school community and to the fraternity. Dean DeJarmon was honored for his past outstanding accomplishments in the field of law, and his never-ceasing endeavors to bring recognition to the law school.

Programs of service to the school, the student and the profession will continue to flow from this highly motivated organization.

was certified to practice under the third-year practice rule. The certification permitted me to prosecute all misdemeanors and preliminary hearings that came before the District Court. I also prosecuted competency hearings, support hearings and bond reduction hearings.

Since July, 1973, my primary responsibility has been to prosecute the criminal and traffic calendars in the District Court.

I have also been certified to prosecute misdemeanor cases in trials de novo in the Superior Court. I have tried three such cases before juries, conducting all direct and cross-examination and argued the cases to the juries. To date I have won all cases tried to juries.

The experience of being able to put into practice what I learned in two years of classroom study has been invaluable and extremely satisfying.

-Dean's Report-

(Continued from page one)

take just a moment to assure yourself that you have returned the book to its proper place, so that your fellow students may have equal access to it. Also, in light of the crowded conditions, we ask a little extra concern for environment. Please attempt to reduce litter.

On the brighter side, the heirs of our late Dean Emeritus are in the process of establishing a scholarship or an award in his honor, further details on this will be forthcoming at a latter date. The North Carolina Association of Black Lawyers is taxing its members a hundred dollars each in an effort to raise \$10,000 for the Law School. We hope that these funds will soon be available to us.

Again, I wish all of you a good school year and until the next edition, I'll say Good Luck.

-Law Day-

(Continued from page one)

court setting. The social workers tended to make the juvenile courts "uncomfortable" for lawyers.

Other participants on the panel discussion were: Julius Knight, assistant chief probation counselor for the 14th District, Durham; Mrs. Ann Daughtridge, supervisor of child welfare of the Durham County Department of Social Services; and John Britton, juvenile officer with the Durham Police Department.

Moderator and student coordinator for the program was Paris Favors, Jr., Vice-President of The Student Bar Association. Chairperson for the NCCU Law Day Committee is Patricia Henry.